



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

May 7, 2004

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Second District

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Third District

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Fifth District

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

State Budget Actions

The budget subcommittees in both houses have been holding hearings on the Governor's Proposed Budget for some time now. While action on most of the Governor's budget reductions or controversial proposals has been deferred until the release of the May Revise next week, in a few instances the Legislature has taken action on issues of interest to the County. On April 28, 2004, the Assembly Budget Subcommittee on Health and Human Services rejected the Governor's proposals to cap State participation in IHSS wages at the State minimum wage level and make the employer of record requirement optional. On May 5, 2004, the Subcommittee voted to restore funding for juvenile probation using General Funds rather than TANF funding and rejected the proposed capping and block granting of various immigrant-related social service programs. In addition, they voted to provide an additional \$3.2 million General Fund (\$9.6 million when matched with Federal funds) to the County's Child Support Agency for administration.

Pursuit of County Position on Legislation

AB 1510 (Kehoe), would appropriate money from the Special Fund for Economic Uncertainties to reimburse local governments for their loss of revenue in 2003-04 from reduced assessments due to property tax caused by various disasters in 2003, including wild fires in Los Angeles County. Funding would be for one year only. AB 1510 is similar to previous bills approved after natural disasters such as the Napa earthquake in 2000 and the floods of 1995 and 1996. AB 1510 would protect the

County's property tax revenues that are budgeted in the current budget. **Therefore, our Sacramento representatives will support AB 1510.** Support is consistent with positions taken by the Board after previous disasters such as the 1993 wildfires and the 1994 Northridge earthquake. AB 1510 is currently on the Suspense File in the Senate Appropriations Committee and may not be heard until late summer, after a budget is adopted, unless the Governor requests an earlier hearing due to an emergency, which the California State Association of Counties (CSAC) has requested him to do. The bill is supported by CSAC and the five other counties that would benefit from the bill.

AB 2428 (Chu), as amended on April 20, 2004, would add additional requirements to the conditions of release for persons convicted of hate crimes and require the courts to issue a protective order for the victim, or their kin, as a condition of parole or outpatient status (if the person is committed to a mental institution). Persons found not guilty by reason of insanity would be required to complete a class or program on racial or ethnic sensitivity or a year of counseling as a condition of receiving outpatient status. State parole authorities would require parolees convicted of such crimes to receive racial sensitivity counseling or training as a condition of parole. **AJR 64 (Chu)** urges local, State and federal law enforcement authorities to work to prevent bias-motivated crimes and to investigate and prosecute hate crimes committed against all Americans, with specific reference to Arab-Americans, Muslim-Americans, South Asian-Americans, and Sikh-Americans.

Under existing law a person found to have committed a hate crime may face commitment to a prison, a mental institution (if found not guilty by reason of insanity) or, given probation. The California Penal Code provides the courts with some options of redress and rehabilitation in the probation context only. Current law also places the burden of seeking a protective order on hate crime victims.

The Human Relations Commission recommends that the County support AB 2428. The bill would strengthen protections for victims of hate crimes and their families by the automatic placement of a protective order since the victims may not know when the perpetrator has been released or have the financial ability or knowledge to file the order. Extending a requirement for counseling or classes in racial or ethnic sensitivity to prisoners and those determined to be mentally ill will further assist in protecting the public upon their release. The Commission also recommends that AJR 64 be supported due to the increase in hate crime incidents against South Asians, Muslim, Sikhs, and Arabs since September 11, 2001.

We concur with the recommendations. They are consistent with the County's State legislative policies to support legislation that seeks to reduce and combat discrimination, hate crimes, and increase human relations education and training. **Therefore, our Sacramento advocates and the County's Human Relations Commission will**

support AB 2428 and AJR 64, with the Commission being the primary advocate for these bills.

AB 2428 is currently on the Assembly Floor. It is co-sponsored by the Asian Pacific American Legal Center and Chinese for Affirmative Action. It is supported by the Anti-Defamation League, Asian American Legal Center, Asian Americans for Civil Rights and Equality, Asian Law Alliance, Asian Pacific American Legal Center, California State Conference of the National Association for the Advancement of Colored People, Chinese for Affirmative Action, Cruz Bustamante, Lieutenant Governor, Filipino-American State Employees Association and the Mexican American Legal Defense and Education Fund. There is no opposition.

AJR 64 passed out of the Assembly on April 1, 2004 and is currently in the Senate Committee on Rules. It is sponsored by the Office of the Attorney General and the Los Angeles Council on American Islamic Relations. It has the support of numerous civic, governmental and civil rights organizations, including the American Arab Anti-Discrimination Committee, Los Angeles/Orange County Chapter of the American Civil Liberties Union, Asian-Americans for Civil Rights and Equality, California Church IMPACT, California Faculty Association, California Sikh Council, Central American Resource Center of Los Angeles, Mexican-American Legal Defense and Education Fund and, the Orange County Sheriff's Office. There is no opposition.

AB 2666 (Maldonado), would change the method used to allocate funds generated from a special off-highway vehicles (OHV) registration fee to counties and cities. Current law requires the State Controller to allocate the funds from a \$4 per OHV license fee to counties and cities based on population in the same manner as other vehicle license fees are allocated. AB 2666 would require that the allocation be based on the estimated proportional use of OHV's in a given jurisdiction. An April 19, 2004, Transportation Committee report states that the bill is the product of a collaborative effort of the Off-highway Motor Vehicle Stakeholders Roundtable, whose membership includes three dozen public agencies, law enforcement, businesses, and OHV groups.

According to the Department of Parks and Recreation (DPR), the County received \$239,868 from the State's OHV fees in 2003. This represents 14 percent of the \$1,631,626 allocated statewide. Los Angeles County has 108,351 registered OHV's, the most of any County, representing 14 percent of the State's total of 756,965. Funds are also allocated to cities. In 2003, the County's two largest cities, Los Angeles and Long Beach, received approximately \$107,000 and \$13,000, respectively. Of the other 86 cities, only Glendale received more than \$5,000, and Industry received \$21.

In its analysis of AB 2666, the State Department of Parks and Recreation produced a hypothetical projected allocation, which shows that the County would receive only \$61,482, or 3.6 percent of the \$1,711,268 allocated statewide. By comparison, Imperial County (which has 6,664 registered OHV's) would receive \$576,162, rather than the \$3,627 it received in 2003. **DPR, therefore, recommends that the County oppose AB 2666, and we concur.** Opposition to AB 2666 is consistent with County policy to support funding for acquisition, development, and rehabilitation of parks and recreation facilities and open space.

AB 2666 passed the Assembly Committee on Transportation on April 19, 2004 by a vote of 13 to 0, and was referred to the Appropriations Committee. No further hearings have been scheduled. AB 2666 is supported by the State Department of Parks and Recreation, the American Motorcyclist Association-District 37, the California Off-Road Vehicle Association, and the San Diego Off-Road Coalition. There was no registered opposition.

AB 2989 (Corbett), as amended on April 20, 2004, would provide counties the option to extend the maximum amount of time, from 24 months to 48 months, that CalWORKs recipients who are continuously enrolled in registered nursing (RN) programs may receive aid without needing to secure employment or participate in community service. The bill would require that the RN program be certified by the Board of Registered Nursing.

The CalWORKs program requires each county to provide cash assistance and other benefits to qualified low-income families through a combination of county and State funds, and Federal Temporary Assistance for Needy Families block grant funds. In general, CalWORKs recipients are required to participate in some combination of employment and/or other welfare-to-work activities for 32 to 35 hours per week. Vocational training and education are among the allowable work activities, which may include college and community college education. After 24 months on aid, recipients who have not secured full or part-time employment are required to participate in community service activities.

According to a recent Assembly Human Services Committee analysis, the author intends AB 2989 to address the existing shortage of registered nurses in California. The bill is also intended to provide more opportunities for CalWORKs participants to enter the field of nursing and secure higher paying employment.

The County Department of Health Services (DHS) indicates that it is difficult for County hospitals to comply with AB 394 regulations requiring specified nurse-to-patient ratios because of the ongoing statewide nursing shortage. County hospitals are unable to

effectively compete with private health care facilities which are able to provide better salaries and other incentives to attract the limited number of available nurses.

The Department of Public Social Services (DPSS) supports the intent of AB 2989 to provide higher paying job opportunities for CalWORKs participants but indicates the bill would not create nearly as many nursing opportunities as it could. Since many schools have waiting lists for their RN programs, many CalWORKs participants who complete the necessary program prerequisites find they can not enroll. As an alternative, many opt to pursue Licensed Vocational Nursing (LVN) either as a career or stepping stone toward RN certification at some future date. Many times these participants also need to satisfy prerequisites before actually enrolling in an LVN program but find they have insufficient time to complete both the prerequisites and the LVN program before they hit their 24-month time limit.

Both DHS and DPSS recommend that the County support AB 2989, but further recommend the County seek amendments to extend the aid limit from 24 months to 48 months for participants who want to enter either RN or LVN programs and require participants to work in medically underserved areas for at least two years after they have graduated from an RN program, and we concur. Consistent with County policy to support enhanced funding for nursing education and training, as well as recruitment and retention of nurses and physicians in medically underserved areas, **our Sacramento advocates will support AB 2989, and seek the recommended amendments.**

AB 2989 is sponsored by the author and supported by the American Federation of State, County and Municipal Employees, American Nurses Association of California, California Catholic Conference, California Commission on the Status of Women, California Nurses Association, Coalition of California Welfare Rights Organizations, Housing California, JERICHO: A Voice for Justice, Mexican-American Legal Defense and Educational Fund, United Nurses Associations of California/Union of Health Care Professionals and Western Center on Law and Poverty. There is no registered opposition. AB 2989 is awaiting a hearing date in the Assembly Appropriations Committee.

Status of County-Interest Legislation

AB 1618 (Firebaugh), on which the County has a position to support and amend, and which would require railroad companies in California to develop a protocol for rapid communication with the State Office of Emergency Services, the California Highway Patrol and designated local agencies when there is a runaway train, was amended on April 28, 2004 to include notice to designated county public safety agencies in the protocol. The warning will be transmitted to the Warning Center of the Office of

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Emergency Services which will then send the warning to the appropriate agencies.
Therefore, the County's position is changed to a straight support position.

County-sponsored AB 2857 (Laird), which would protect public agencies from losing tax revenue and ensure that taxpayers are not barred from an appropriate administrative reduction in assessments due to a decline in value, passed the Assembly Revenue and Tax Committee on May 4, 2004 by a vote of 5 to 2. The bill now proceeds to the Assembly Appropriations Committee.

County-supported AB 2783 (Simitian), which would allow counties the option to increase recording fees on real estate documents up to \$2 to fund programs to deter, investigate and prosecute civil proceedings involving the financial abuse of elder and dependent adults through fraudulent real estate transactions, passed the Assembly Aging and Long-Term Care Committee on May 4, 2004, by a vote of 3 to 2.

County-supported SB 1085 (Murray), which would prohibit the possession, distribution, and use of Mobile Infrared Transmitters (a traffic signal preemption device used to change the sequencing of traffic signals) by unauthorized individuals, passed the Senate on April 29, 2004 on a vote of 32 to 0 and was sent to the Assembly.

County-opposed SB 1723 (Johnson), which would prohibit, until January 1, 2005, a city or county from using any form of direct recording electronic device as part of its voting system for the November 2, 2004 Presidential General Election, passed out of the Senate Committee on Elections and Reapportionment on May 5, 2004 by a vote of 3 to 1, and now goes to the Senate floor.

We will continue to keep you advised.

DEJ:GK
MAL:JR:JF:lm

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants